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OFFICE OF PETITIONS

PTO/SB/64 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)

R-372

First named inventor: KEITH D. ALLEN

Application No.: 09/900,754

Art Unit: 1632

Filed: 07/06/01

Examiner: DANIEL M. SULLIVAN

Title: TRANSGENIC MICE CONTAINING TRYPTASE GENE DISRUPTIONS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment Accompanying a RCE (identify type of reply):☒ has been filed previously on 6/24/03☐ is enclosed herewith.

B. The issue fee of \$ _____

☐ has been paid previously on _____☐ is enclosed herewith.

11/03/2003 AWONDAF1 00000013 501271 09900754

01 FC:2453 665.00 DA

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This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

10/27/03

Date

Kelly J. Quast

Signature

Telephone
Number:

650-569-5375

KELLY L. QUAST

Typed or printed name

1031 BING STREET

Address

SAN CARLOS, CA. 94070

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

10/27/03

Date

Don Mixon

Signature

DON MIXON

Type or printed name of person signing certificate



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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplicant: **Keith D. ALLEN *et al.***Serial No.: **09/900,754**Filed: **July 6, 2001**Title: **Transgenic Mice Containing Serine
Protease Gene Disruptions**Group Art Unit: **1636**Examiner: **Sullivan, Daniel M.**Customer No. **26619**Docket/Order No. **R-372**Date: **October 27, 2003****Petition to Revive under 35 C.F.R. § 1.137(b)**

Commissioner for Patents
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The above referenced application has unintentionally fallen abandoned due to the inadvertent failure to timely file a proper reply to the Office Action December 24, 2002. More particularly, Applicants filed a Request for Continued Examination, along with an Amendment on June 24, 2003 in response to the Office Action. The Request was denied due to a lack of funds in Applicants' deposit account to cover the filing fee associated with the Request. In order to revive the status of the application, attached herewith is a Petition for Revival of an unintentionally Abandoned Application under 37 C.F.R. § 1.137(b). Applicants hereby state that the entire delay in responding to the outstanding Office Action was unintentional, as Applicants were unaware of the lack of funds in the deposit account. Applicants have replenished the funds in the deposit account, and hereby authorize the Commissioner to debit Deposit Account 50-1271 for

Adjustment date: 12/15/2003 AKELLEY
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the fees associated with the Petition to Revive, including the Petition Fee of \$665.00, the filing fee required for the Request for Continued Examination of \$385.00, and fees for the extension of time of three (3) months (\$475.00). As noted above, Applicants previously submitted an Amendment in response to the Office Action mailed December 24, 2003 along with the Request for Continued Examination, on June 24, 2003, and request entry and consideration of the amendments and remarks contained therein. A copy of the Amendment and Request for Continued Examination is attached herewith.

The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-1271 under Order No. R-372.

Respectfully submitted,

Date: October 27, 2003

Kelly L. Quast
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